

Exhibit 1

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Norfolk Division**

CSX TRANSPORTATION, INC.,
individually and on behalf of NORFOLK
& PORTSMOUTH BELT LINE
RAILROAD COMPANY,

Plaintiff,

v.

Civil Action No. 2:18-cv-530-MSD-RJK

NORFOLK SOUTHERN RAILWAY
COMPANY, *et al.*,

Defendants.

_____ /

[PROPOSED] AMENDED RULE 16(b) SCHEDULING ORDER

This matter comes before the Court on the joint notice of Plaintiff CSX Transportation, Inc., Defendant Norfolk Southern Railway Company, and Defendant Norfolk & Portsmouth Belt Line Railroad Company, providing dates for the amendment of the Rule 16(b) Scheduling Order entered on October 25, 2019, as amended on February 5, 2020 and October 22, 2020. *See* ECF Nos. 78, 118, 254. For good cause shown, the Court ORDERS that the Rule 16(b) Scheduling Order shall be amended in the following respects:

- All oppositions to any existing Motions *in Limine* shall be filed on or before **September 2, 2022**.
- All reply briefs to any existing Motions *in Limine* shall be filed on or before **September 23, 2022**.
- Plaintiff's Supplemental Expert Witness Report Deadline shall be **September 23, 2022**.

- Defendants' Supplemental Expert Witness Report Deadline shall be **October 14, 2022**.
- The pretrial disclosures required by Rule 26(a)(3) shall be delivered to all counsel on or before **November 10, 2022**.
- Objections to the pretrial disclosures required by Rule 26(a)(3), and all proposed stipulated facts, factual contentions, and triable issues shall be delivered to all counsel on or before **November 17, 2022**.
- Plaintiff shall circulate a draft final pre-trial order by **November 22, 2022**.
- An attorneys' conference is scheduled in the office of counsel for Plaintiff on **November 28, 2022 at 10:00 a.m.**
- Plaintiff shall file the proposed final pre-trial order with the Court by **December 1, 2022**.
- A final pre-trial conference shall be conducted on **December 6, 2022 at 10:00 a.m.**, at the courthouse in Norfolk.
- Counsel shall file proposed voir dire and jury instructions on or before **January 11, 2023**.
- Trial shall commence on **January 18, 2023, at 10:00 a.m.**, at Norfolk.

IT IS SO ORDERED.

The Honorable Robert J. Krask
United States Magistrate Judge

WE ASK FOR THIS:

CSX TRANSPORTATION, INC.

By its attorneys,

/s/ Robert W. McFarland

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By its attorneys,

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